

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

Case No.: 12-25664
Judge: James E. Shapiro
Chapter: Chapter 13

**In Re: Victor H Huarota
Josefina S. Huarota**

NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN

Geraci Law, LLC, Attorneys for the Debtors, have filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, on or before 21 days from the date of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk, U.S. Bankruptcy Court
517 E. Wisconsin Ave., Rm. 126
Milwaukee, WI 53202

If you mail your request or response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to the parties listed below and on the attached mailing matrix:

Felicia M. Petroff
Geraci Law, LLC
2505 N. Mayfair Road, Suite 101
Wauwatosa, WI 53226
Phone: (414) 475-6052
Fax: (877) 247-1960
Email: wal@geracilaw.com

United States Trustee
Eastern District of Wisconsin
517 East Wisconsin Avenue, Room 430
Milwaukee, WI 53202

Mary B. Grossman
Chapter 13 Trustee
P.O. Box 510920
Milwaukee, WI 53203

Geraci Law, LLC
Felicia M. Petroff
2505 N. Mayfair Rd. #101
Wauwatosa, WI 53226

Victor H Huarota
Josefina S. Huarota
22 South Fancher Road
Racine, WI 53406

If you or your attorney do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponents of this modification are the Debtors, through their Attorneys, Geraci Law, LLC.
2. This is a request to modify a Chapter 13 Plan (Select A. or B.):
 - A. post-confirmation
 - B. pre-confirmation (Select i. or ii.);
 - i. Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially or adversely affect creditors (Local Bankruptcy Rule 3015(b)); or
 - ii. Debtors/Debtors' attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors are (See Attached List).
3. The Proponent wishes to modify the Chapter 13 Plan to do the following: See Below.

4. The reason for the modification is to provide for all claims.
5. Select A. or B.
 - A. The Chapter 13 Plan confirmed or last modified on _____ (date) is modified as follows: (State the specific language of the modification.)
 - B. X The unconfirmed Chapter 13 Plan is modified as follows:
 - i. The debt owed to Landmark Credit Union, secured by the 2002 Chevy Van, will be paid at 10.35% interest, with fixed payments of \$108.00 per month for 60 months, for a total of \$6,480.
 - ii. The debt owed to Financial Institution Lending Options, secured by the 2002 Dodge Caravan, will be paid at 9.9% interest, with fixed payments of \$52.00 per month for 60 months, for a total of \$3,120.
 - C. All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

6. BY SIGNING BELOW THE PROONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.

WHEREFORE, the Proponents request that the Court approve the modification to the Chapter 13 Plan as stated herein.

Respectfully submitted and dated this Tuesday, July 17, 2012.

By: /s/ Felicia M. Petroff
Felicia M. Petroff
Attorney for Debtor
Bar #: 1066358

Felicia M. Petroff
Geraci Law, LLC
2505 N. Mayfair Road, Suite 101
Wauwatosa, WI 53226
Phone: (414) 475-6052
Fax: (877) 247-1960
Email: wal@geracilaw.com

Rec. No: 554356
Notice and Request to Modify Chapter 13 Plan

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

Case No.: 12-25664
Judge: James E. Shapiro
Chapter: Chapter 13

**In Re: Victor H Huarota
Josefina S. Huarota**

CERTIFICATE OF SERVICE

The undersigned, an Attorney, does hereby certify that a copy of this Certificate of Service and a copy of the attached Notice and Request to Modify Chapter 13 Plan were mailed First Class to the persons mentioned below, at their respective addresses, postage prepaid, by U.S. Mail in Milwaukee, WI on Tuesday, July 17, 2012:

Victor Huarota
Josefina S. Huarota
22 South Fancher Road
Racine, WI 53406

See Attached List

Additionally, the documents referenced above were also served via electronic means on the following individuals on Tuesday, July 17, 2012:

United States Trustee
Eastern District of Wisconsin
517 E. Wisconsin Ave.
Milwaukee, WI 53202

Mary B. Grossman
Chapter 13 Trustee
P.O. Box 510920
Milwaukee, WI 53203

Dated this Tuesday, July 17, 2012.

By: /s/ Felicia M. Petroff
Felicia M. Petroff
Attorney of the Debtor
Bar #: 1066358

Felicia M. Petroff
Geraci Law, LLC
2505 N. Mayfair Road, Suite 101
Wauwatosa, WI 53226
Phone: (414) 475-6052
Fax: (877) 247-1960
Email: wal@geracilaw.com

Rec. No: 554356
Notice and Request to Modify Chapter 13 Plan

Landmark Credit Union
Bankruptcy Dept.
PO Box 510870
New Berlin, WI 53151

WE Energies
Elaine
333 W. Everett Street
Milwaukee, WI 53203

Wells Fargo Home Mortgage
Bankruptcy Department
3476 Stateview Road
Fort Mills, SC 29715

Bank of America
Attn: Bankruptcy Dept.
PO Box 650070
Dallas, TX 75265

FILO
Attn: Bankruptcy Dept.
PO Box 750
Mukwonago, WI 53149

Racine County Clerk
2012CV001042
730 Wisconsin Avenue
Racine, WI 53403

Gray & Associates
2012CV001042
16345 West Glendale Dr.
New Berlin, WI 53151